



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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EDWARD BANKS,

Plaintiff,

- against -

MCGLYNN, HAYS & CO., INC., et al.,

Defendants.
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19-CV-5727 (JPO) (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

Plaintiff has filed a motion for reconsideration concerning deposition scheduling.

1. Plaintiff's motion is denied with respect to depositions taking place on consecutive days. Depositions of multiple witnesses routinely occur on consecutive days; counsel's preference to space out depositions so that she can further strategize and plan out her questioning is not a legitimate basis to draw out depositions further, all the more so given the history of depositions in this case. Depositions may, however, take place on non-consecutive days to the extent Defendants and Plaintiff reach agreement in that regard.

2. As for the deposition of Ms. Carlucci, by **March 30, 2021**, Defendants shall file a letter in response Plaintiff's motion specifically addressing whether Defendants agree to have Ms. Carlucci's deposition start at 10:00 a.m. thereby mooted the motion, or, absent agreement, demonstrating why Ms. Carlucci cannot or should not, from a medical standpoint, start at 10:00 a.m.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal stroke extending to the right.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: March 25, 2021
New York, New York

Copies transmitted this date to all counsel of record.